

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JAIRO ADALID MARTINEZ VILLAFRANCA,

No. C-05-3783 MMC

Plaintiff,

v.

**ORDER DENYING PLAINTIFF'S  
APPLICATION FOR TEMPORARY  
RESTRAINING ORDER**

DEPARTMENT OF HOMELAND  
SECURITY, et al.,

Defendants

Before the Court is plaintiff's application, filed September 20, 2005, for a temporary restraining order. The matter came on regularly for hearing September 28, 2005. Rebecca M. Biernat of Sedgwick, Detert, Moran & Arnold LLP appeared on behalf of plaintiff. Ila C. Deiss, Assistant United States Attorney, appeared on behalf of defendants. Having considered the papers submitted and the arguments of counsel, the Court, for the reasons stated on the record at the hearing, hereby DENIES the application.

**IT IS SO ORDERED.**

Dated: September 28, 2005

  
MAXINE M. CHESNEY  
United States District Judge